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25 February 1953

MEMORANDUM FOR: Chairman, CIA Career Service Board

SUBJECT: Categories of CIA Personnel

1. PROBLEM.--

- a. To establish the primary personnel categories which are essential to further development of Agency personnel policies and procedures and to define the basic relationships between the Agency and the members of each category.
- b. To establish a basic employment concept which distinguishes career employees from other Agency employees and which provides a firm basis for further implementation and development of the career service program.

2. ASSUMPTION.--The solution to these problems should be based upon consideration of two factors:

- a. The extent of the Agency's right to control an individual in the performance of his duties and the resultant responsibilities of the Agency and the individual;
- b. The relative permanency of the Agency's need for an individual's services.

3. FACTS BEARING ON THE PROBLEM.--

- a. The lack of primary personnel categories has impeded the development of programs for the most effective utilization and administration of the different types of personnel who perform services for CIA. The fourteen categories of Agency personnel defined in Part XIV of the Confidential Funds Regulations developed as expedient solutions to a variety of administrative problems and are now too complex for the efficient administration of Agency personnel.
- b. The lack of an employment concept which effectively distinguishes career employees from other employees has handicapped the implementation and further development of the Career Service Program.

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#### 4. DISCUSSION

a. Examination of all personnel utilized by the Agency in terms of the control factor cited in Paragraph 2a. above results in three basic groups:

(1) Those individuals whom the Agency has exclusive right to control with respect to their hours of work, place of employment and methods and sequence of performing services. These individuals comprise the basic "employee" group.

(2) Those officers and employees of other Federal establishments who are detailed to duty with the Agency and over whom the Agency has only a secondary and prescribed right of control. Within this group of "detailed personnel", separate legal and administrative control mechanisms distinguish "detailed military personnel" from "detailed civilian personnel".

(3) Those individuals whose contractual relationships with the Agency involve less control than is inherent in an employer-employee relationship. These independent contractors are designated as the "associate" group.

b. Further examination of these three groups of Agency personnel in terms of the relative permanency of the Agency's need for their services results in the division of the "employee" group into two categories, "temporary employees" and "permanent (career) employees". No such division of either the "detailed personnel" group or the "associate" group is necessary since personnel in both categories are inherently temporary.

c. Different employment methods are proposed to distinguish between career employees and other Agency employees. Career employees would be appointed without time limitation. The services of temporary employees would be engaged only for specific periods which could be extended at the discretion of the Agency. For purposes of internal administration, these different methods of employment would:

(1) Provide a legal and practical basis for implementing the Career Service Program and for identifying the personnel for whom the program is designed.

(2) Provide factual evidence of the Agency's intentions toward its employees in both categories.

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(3) Minimize the difficulty in terminating the services of temporary employees or in effecting a reduction in force.

d. The services of temporary employees can be obtained either by contract or by term appointment. Although the Federal employment system provides for term appointments, the use of this procedure would require prior solution of any security problems related to the withholding of social security payments. It is also recognized that certain legal problems might arise from the Agency's contracting for the services of numbers of temporary employees. Nevertheless, it is believed that the advantages to the Agency of having a group of temporary employees will outweigh the difficulties in establishing such a category of personnel.

5. RECOMMENDATION.--It is recommended that the attached statement "Categories of CIA Personnel" be approved as a basis for further development of Agency personnel policies and procedures.

/s/

W. H. H. MORRIS, JR.  
Assistant Director (Personnel)

ATTACHMENT:  
Categories of CIA Personnel

ACTION BY APPROVING AUTHORITY:

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Approved (disapproved), exceptions, if any.  
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-3-

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